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Patents

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stewart et al.

Application No.: 10/079,136

Filed: February 20, 2002

For: **Methods and Composition for  
Therapeutic Intervention in  
Infectious Disease**

Commissioner of Patents  
Washington, D.C. 20231

Art Unit: 1633

Examiner:

Docket No:  
19626-0211 (45454/270653)

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION  
AND PETITION FOR EXTENSION OF TIME**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on April 8, 2002 enclosed are the following documents (1) the declaration executed by the inventors; (2) a check for \$65.00 to cover the surcharge for late filing of the declaration; (3) a check for \$412.00 to complete the basic filing fee for a small entity and for an additional independent claim; a petition for a one month extension of time; and (4) a check for \$55.00 for the extension fee. A copy of the Notice to File Missing Parts of Nonprovisional Application is also enclosed.

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231, on June 27, 2002.

*Aleta A. Mills*

Aleta A. Mills - Reg No. 47,794

Pursuant to 37 C.F.R. 1.136(a), Applicants petition the Commissioner for Patents for a one-month extension of time, through and including July 8, 2002, to respond to the Notice to File Missing Parts of Nonprovisional Application mailed on April 8, 2002. Enclosed is a check in the amount of \$55.00, the fee pursuant to 37 C.F.R. 1.17. The Commissioner is authorized to change any additional fee relating to this filing to Deposit Account No. 11-0855.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Order Account No. 11-0855.

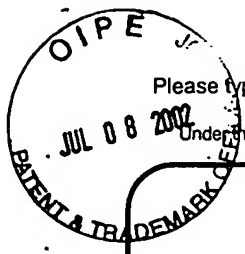
Respectfully submitted,



Aleta A. Mills  
Reg. No. 47,794

Date: June 27, 2002

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309  
(404) 815-6500



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Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0031

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	8	Application Number	10,079/136
		Filing Date	February 20, 2002
		First Named Inventor	Stewart, et al
		Group Art Unit	1633
		Examiner Name	
Attorney Docket Number		19626-0211(45454-270653)	

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Declaration and Power of Attorney</b>
<div>Remarks</div>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aleta A. Mills, Reg. No. 47,794		
Signature	<i>Aleta A. Mills</i>		
Date	June 27, 2002		

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <div>June 27, 2002</div>			
Typed or printed name	Aleta A. Mills, Reg. No. 47,794		
Signature	<i>Aleta A. Mills</i>	Date	June 27, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.





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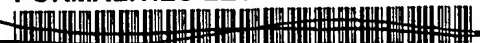
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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/079,136	02/20/2002	Graham Stewart	19626-0211 (45454-270653)

CONFIRMATION NO. 7018

FORMALITIES LETTER



\*OC000000007810573\*

23370  
JOHN S. PRATT, ESQ  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET  
SUITE 2800  
ATLANTA, GA 30309

Date Mailed: 04/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$42.
  - \$42 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 477.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

07/12/2002 SDENB081 00000072 10079136

370.00 DP  
42.00 DP  
65.00 DP

01 FC:201  
02 FC:202  
03 FC:205

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

Y.G.

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Initial Patent Examination Division (703) 308-1202

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